

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILSON K. AYALA, JR.,	:	CIVIL ACTION
Plaintiff	:	
v.	:	
	:	
KILOLO KIJAKAZI,	:	
Acting Commissioner of the Social	:	
Security Administration,	:	
Defendant	:	NO. 20-4926

MEMORANDUM

CAROL SANDRA MOORE WELLS
UNITED STATES MAGISTRATE JUDGE

August 4, 2021

Wilson K. Ayala (“Plaintiff”) seeks judicial review, pursuant to 42 U.S.C. § 405(g), of the final decision of the Commissioner of the Social Security Administration (“the Commissioner”). The Commissioner filed her answer, together with the administrative record, on March 18, 2021. On August 2, 2021, she filed a motion to remand the case on grounds that the administrative law judge (“ALJ”) erred and did not properly consider Plaintiff’s impairments. Def.’s Uncontested Mot. to Remand at 1. The Commissioner further represents that Plaintiff, through his attorney, consents to the remand request. *Id.* at 2.

Inasmuch as the Commissioner has acknowledged that the ALJ committed reversible error when evaluating Plaintiff’s disability claim, this Court, pursuant to **sentence four** of 42 U.S.C. § 405(g), will order the requested remand. *See Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991).

An implementing Order follows.